

## **METROPOLITAN AREA PLANNING COMMISSION**

### **MINUTES**

September 7, 2000

The special meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission was held Thursday, September 7, 2000, in the Planning Department Conference Room, 10<sup>th</sup> Floor, City Hall, 455 North Main, Wichita, Kansas. The following members were present: Chris Carraher, Chair; Jerry Michaelis; Vice-Chair; Frank Garofalo, Bud Hentzen, Bill Johnson, Ron Marnell, Susan Osborn-Howes, Ray Warren, Richard Lopez, John W. McKay Jr., Harold Warner, Jr., and James Barfield. George Platt was not present. Staff members present were; Marvin S Krout, Secretary; Dale Miller, Jamsheed Mehta, Daniel Nguyen, Alan Morrison and Valerie Robinson, Recording Secretary.

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#### **1      Election of new MAPC Chairperson and Vice Chairperson.**

**GAROFALO:** "First item on the Agenda is election of new Chair and Vice-person. Do we have any nominations? Mr. Michaelis."

**MICHAELIS:** "Mr. Chairman I would move that we elect Chris Carraher as Chair by acclamation."

Motion: **MICHAELIS** moved, **WARREN** seconded the motion, and it carried unanimously (12-0).

**CHRIS CARRAHER:** "Before we move into the nomination for vice Chairperson. First I want to say thank you to my colleagues. I will do my best to do a good job and represent the Commission, and try to do my best to make the meetings flow in a smooth manner. Having served as Chair in the past, it is always a balance between giving everybody the opportunity to speak, while at the time dealing with trying to make the meeting flow in a timely manner. The first few meetings I might be a little bumpy, getting used to the procedures of the Commission, but I think in no time at all things will be flowing smoothly. Also before we move onto the Vice-Chair election, I want to say a job well done to both Frank and Ron. It is tough chairing meetings, especially with us going through the Comprehensive Plan this year. There has always been some controversy and some of the meetings had become tumultuous at times, so I wanted to say a big thank you to the both of you and we will move on to the election of the Vice-Chair. I would like to open up the floor to nominations for the Vice-person of the MAPC at this time. Are there any nominations?"

**WARREN:** "I would move to nominate Jerry Michaelis."

**CARRAHER:** "Do you accept Jerry?"

**MICHAELIS:** "Yes."

Motion: **WARREN** moved, **HENTZEN** seconded the motion, and it carried unanimously (12-0).

**CARRAHER:** "Are there any other nominations? I would accept a motion to close the current nominations for Vice-Chair position."

Motion: **WARREN** moved, **HENTZEN**, seconded the motion, and it carried unanimously (12-0).

**MARVIN KROUT:** "At the next meeting on September 21, the man will be appointing members of the Subdivision Committee and the Advance Plans Committee. There has to be at least one new member who was not on the committee in the previous year who is part of that committee. So if you can indicate during this meeting or after the meeting, either to me or Chris, what your preferences are, I am not sure we will be able to entertain them all, but that will be helpful for Chris, to have an idea on who wants to do what. By the way, there is no item number 3 today. We have been asked by the City Manager's Office to defer that until after the District Advisory Board has public hearings on that issue."

**CARRAHER:** "Are there any questions or discussions in regards to what Mr. Krout has just put onto the floor? Seeing that there are not questions I will move on to item 2, the Transportation Planning Certification Review. Mr. Jamsheed Mehta, will be presenting."

#### **2.      Transportation Planning Certification Review. U.S. DOT officials will discuss the Transportation Planning process as part of the triennial review of the Metropolitan Planning Organization (M.P.O.)**

**JAMSHEED MEHTA:** "Congratulations Mr. Chairperson, and coming with that role of being the Chair, I also need to hand out to you an Agenda item which will require your office or your nominee to participate in the Central Plains Quad County Planning Forum coming up next week Monday. If it is a conflict with your schedule, you may nominate somebody to go in your place for this time. I will hand you the agenda. It is an appointment based on the by-laws of the Quad County Planning Forum. That is four counties together Harvey, Butler, Reno and Sedgwick. Generally the nominations does come from, the County Commissioners. We will pose that question to them since obviously you're fresh on board, but the tradition has generally been that the Chair of the Planning Commission is the representative for the County Commissioners for the MAPC going to the Quad County."

**CARRAHER:** "So at this time it would be proper, is there anybody on the Commission who is interested in going. If not I will definitely accept my role and attend and represent the Commission. Mr. Hentzen."

**HENTZEN:** "I just want to tell you if you want to go do go. If you don't want to go my Monday is free. Because I want somebody to be there."

September 7, 2000  
Special Meeting  
Page 2

**CARRAHER:** "I perfectly understand. I think my schedule is conflicting generally on Mondays at noon. Unless there is any objection I would open the floor to have Mr. Hentzen represent the Commission at this meeting. I will assign Mr. Hentzen the duty of representing us at this meeting on Monday, and if there is any new information or you would like to file a report with the Commission by all means that would be acceptable. Mr. Mehta will continue."

**MEHTA:** "Every three years we have visitors come to us from the U.S. Department of Transportation and from the Kansas Department of Transportation to officially review the metropolitan planning process. We actually meet and work with these officials throughout the year, but this is one time in three years where they examine the overall planning process. The attachment to my memo that you received by mail shows how extensive this review is. We won't go over all 59 questions in this meeting; we have already done that part with them over the last two days. I'd like to introduce the full panel of professionals who have been with us since yesterday morning. Mr. Bill Klassen from Federal Highway Administration, Topeka office, responsible for Federal Highway actions in the State of Kansas. Ms Louise Lloyd from the Federal Transit Administration, Kansas City office. We have Mr. Steve Faust from the Federal Highway office also in Topeka. From K.D.O.T. we have representatives Mrs. Renee Hart and Dave Cronister. Not in attendance of this meeting but very busy at this time as we speak are Mr. Don Wilson and Mark Huffines; they are working with the auditor's office because they are in charge of the audit and fiscal component of the federal-aid program to this MPO area. We work very closely with these gentlemen, and ladies on a day-to-day basis on the operation of the MPO. This meeting has been specifically arranged so that the federal officials get to know this MPO body. Ask you what works, what does not work when it comes to transportation planning as a process. It also gives you the opportunity to ask questions about the mandated transportation planning process. With that we will ask them to join us up front. This will be an informal discussion. There is not a specific agenda. Although I did include some pointers in my memo to you of what some of the features are that they will be looking at this year."

**CARRAHER:** "I would welcome you to our meeting, by all means the floor is yours."

**BILL KLASSEN:** "Really I hope the floor is yours; our purpose to visit with you today is to find out what your ideas are, how things are working for you. Are there things that you have found to be a benefit? Are things working as well as you would like to have, if there are things we can do to work with you, things of that nature? There are a variety of issues, or items coming up and first thing I want to congratulate you on is getting your long-range plan adopted. That means that in four ½ years you have to do that again. That is the good news and bad news. We have been looking at your long range plan now over these two days and I think you folks have done a very good job in that area. I have also heard some discussions about some of the different considerations you were given. I was wondering if you had any ideas about the process or how our regulations impact you. I might also mention at this time that there are purposed regulations out on the street. I believe they are due on September 23, as far as comments. If you have anything that you want to comment on, it would be a good opportunity for your folks to do that. Jamsheed would be able to work very well with you on getting those comments in to us. What we are looking for on those comments that are not only what you don't like but also what you like. Because even though it is not a voting type atmosphere, if we get more comments saying we don't like this and there is something that you really like but haven't commented on and didn't say anything about, we are liable to change the regulations to a way you may not like it. If there are good things about it, address those to please. First of all why don't we start, do you have any comments? This is not for us to take and say you are doing good or bad or anything else, it is just to get input and communicate with you. Over the years I have attended probably about once a year I make it to your meetings. I generally make it to your Technical Advisory Committee meetings, but I don't get to see you folks very often. I appreciate the opportunity for you to give us any ideas."

**CARRAHER:** "I would like to open the floor to anybody who might have any questions or comments to our speakers. Are there any questions or comments at this time? Mr. Marnell."

**MARNELL:** "I will make a philosophical comment I suppose it is not going to change anything, but is there a possibility that taxpayers in this part of the Country are going to quit sending money to Washington, that you could send back to us or do we deal with it directly here?"

**KLASSEN:** "I have heard word that that has been debated off and on for at least 20 years, and that comes and goes, that discussion. One of the things we try to do on the federal program is to take and first of all guarantee that there is some return to the locals of the federal tax money that goes in. Also we need to take and disburse to certain areas of the country; for example, I like to use the interstate program. If we had given back to the state funds to build the interstates that they had, we would still be building interstates in part of Colorado, Wyoming, New Mexico and some of those places. We would not have ever gotten it completed. That is part of the program is to make sure that the funds are available on a system-wide basis. Each time we have new legislation, Congress adjusts those funding levels to some point. That is where we are. I have no idea what Congress will change."

**CARRAHER:** "Mr. Garofalo."

**GAROFALO:** "I have a question and probably staff can answer this, but I'll throw it out anyway. In our Comprehensive Plan we had pointed out that one of the highway programs that we wanted some immediate attention was the interchange at Kellogg and I-235 bypass. Are you familiar with that?"

**KLASSEN:** "Kellogg and I-235 yes. I think I was working in this state when that was constructed."

**GAROFALO:** "The state has turned down that request for a new interchange or put it off, whatever the case may be. It appears that from what I read in the paper that 10 years down the road they might look at it. Is there anything, since this is part of the interstate system, is there any chance that the federal people could inject yourselves into it. It is really an unsafe, lousy, stinking, interchange. Need more adjectives?"

**KLASSEN:** "First of all the highway money is provided to the state and some of that federal aid money is re-distributed to the Cities like Wichita, and the Counties like Sedgwick County. Through combination of those funding it boils down to your people, your decision-making, on how those funds will be spent. The state Enhancement program where the projects were just selected, those were state only money. But there would be federal aid money available, but again it boils down to the priorities of the state and your local jurisdictions to provide that funding for the constructions of those projects. You have a lot of projects in Wichita, for example, that you are going forward with in your Transportation Improvement Program or TIP. A majority of those funds are passed through from Federal Highway to the City of Wichita, and you are making your decisions where to spend those funds at through the use of your long-range transportation plan, and then you program it onto your TIPs. Now if you think in your long range transportation plan you need to shift your priorities and so forth, that is your prerogative."

**CARRAHER:** "Did you have a follow-up, Mr. Garofalo?"

**GAROFALO:** "I think he is telling me there is nothing he can do."

**KLASSEN:** "We don't make the decisions on those, you folks make the decision."

**KROUT:** "This is the subject we talked about earlier on and we may want to invite K.D.O.T. representatives to comment on this question too. These are really two issues. One is the state money, the System Enhancement money, and if you read the story then you know that the response. The City's philosophy was, this is an interstate project and it should be done with purely with federal funds and it shouldn't be part of the System Enhancement money and part of the State program, and we shouldn't have to provide local funds to do it. The State needs to program that as part of the federal interstate monies. The State said, don't expect it to be part of the System Enhancement money if you are not providing a locals, match, because that is what we are looking for with all those projects. That is how that didn't get funded out of the System Enhancement money. In terms of the federal money I think we did talk about over the last couple of days the fact that as local we haven't been completely happy that there hasn't been better and earlier communication between K.D.O.T. and local government about prioritizing that federal money. For example, we didn't find out about this major project to reconstruct I-135 through the 21<sup>st</sup> Street interchange until very late in the game, until it was already designed, and the only question left was if and when we are going to close 21<sup>st</sup> Street to do the construction. If you'd ask most of the local transportation planners or engineers we probably would have said, why are we rebuilding I-135 when 235/Kellogg is a bigger headache for us. I think that we're asking through this process, this review process, for some recognition that local governments are looking for K.D.O.T. to be more communicative and involve the local public more in those decisions, where they are spending money in local areas that have MPOs like us. We really should give the K.D.O.T. people an opportunity to respond if they want to."

**DAVE CRONISTER:** "I think that is something that we are looking into right now as far as an internal process. The project in question at 21<sup>st</sup>, I-135 interchange project was a project that was taken charge by Design and Planning was out of the loop on it until it was already designed. But we have had a couple of internal meetings and we were discussing and actually looking at re-evaluating the public participation process. We are working in conjunction with Federal Highway. That is one component that we are actually striving to re-exam and possibly streamline or improve upon."

**LOPEZ:** "When you stated that you were going to review the public participation process, what did you mean by the public participation process at this particular case?"

**CRONISTER:** "That is currently under review by Federal Highway."

**KLASSEN:** "There are several issues that we are working on at the present time with K.D.O.T. They have a long range planning process that they have in place for 5 years; they are now updating their long-range plan. That is a policy plan. What we are trying to work together with K.D.O.T. on, first increasing the public participation in those plans. So as projects are thought of, that they will be working with the staff of the MPO, you krolt, other local entities, like in this case the City of Wichita and Sedgwick County, so that there are no surprises coming out like Mr. Kroul had discussed. We are looking forward or considering ways to do that, not only in the large Cities but with the rural communities as well. This long-range plan process that they are undertaking or getting prepared to undertake, they have taken some initial steps that will include discussions of how should we proceed in getting the public involved. What things should we consider, when should we be doing it, what stages, things of that nature. That is under review by K.D.O.T. Of course we have some ideas about that too. FTA does too. That is just now getting underway. They started trying to do this about last December, but with the state legislature coming in and other duties and other activities tying them up, a lot of this was delayed. They have had several meetings in the recent past that will take in where they have laid out; they have started to generate them and getting them to go forth. So you will be hearing about the public involvement process as part of there long range planning process coming up. Any time you have an idea or want to suggest something in that, you are welcome too. If you hear something, please attend the meetings, come to the group sessions or whatever they develop and voice your concerns and ideas. K.D.O.T is very willing to do that."

**MICHAELIS:** "Maybe I am the only one in the dark here, but I didn't apparently see this article. Can someone briefly tell me what are we doing with I-135 and 21<sup>st</sup>?"

**WARREN:** "I don't know who would want to clarify that article basically what it is saying it that we are not going to do anything with that for 10 years."

**MICHAELIS:** "I'm talking about I-135 and 21<sup>st</sup>. I guess we are doing something there in lieu of 235/Kellogg."

**MEHTA:** "I guess Mr. Barfield is quite familiar with the project. I-135 at 21<sup>st</sup> Street is the interchange approximately a mile east of Wichita State University. The existing design, configuration, of that interchange is such as that you have on and off ramps separated by a

September 7, 2000  
Special Meeting  
Page 4

distributor road system, so they are further apart. Dealing with four separate bridges, this new design by K.D.O.T. would incorporate that into a single interchange, like a standard interchange, without an extra separation like that median between them. From traffic prospective, we aren't quite sure what is the major achievement; at least we haven't been involved to the point where we would be able to make any judgment. But we weren't in the loop on that so we could contribute anyway. The project is in fact in the stage where the design is underway, the final design that came to City Council and also to the District Advisory Board was the option of what kind of construction phasing do you want to do. One of the options is of course, do nothing. But then there were additionally four or five different options. One of them involving closing 21<sup>st</sup> Street underneath the highway completely during construction season, or keeping part of 21<sup>st</sup> Street moving by reducing the number of lanes, but that would extend the construction phasing by at least two seasons or at least one more season than it would normally take. Those were the options that were provided by K.D.O.T. to the locals to determine what their recommendation was. It is still a City recommendation, not actually a final decision on it. And the decision, as far as we understand now, is that they will close 21<sup>st</sup> Street under that interchange while they are making that improvement on I-135."

**BARFIELD:** "It is kind of like Marvin said, which I don't understand and nobody else understands. I think it is a known fact that the interchange at Kellogg and 235 has proven to be a much more dangerous interchange than I-135. We don't see the need first of all to close down four exit ramps when you can work on only one at a time, so we certainly don't understand the decision that was made to close down 21<sup>st</sup> and have a negative effect on all the business along there; you said east of WSU and I said west of WSU. We don't see the need to have a negative effect on all the business there by closing down that street for a period of nine months and that is what they are saying. We are talking about at least a year and we know that to be a fact that it is very, very difficult. There are several retail business established along there, and it is very difficult, almost impossible, to maintain a business with no traffic. I don't know how much the interchange at 235 is going to cost to repair, but as I read the article, one of the reasons they stated they were not going to do it was because they did not have the funds. I don't know, but I know we are talking about I believe \$28 million on 135, and there is certainly a part of that money that could be utilized on 235."

**WARREN:** "Well I was going to go back to the Kellogg and 235, and that is we spend a lot of time progressing plans and looking at various highway considerations, and at no time was I aware that a consideration of that project was local funding. That we needed that as a condition to give that consideration. I guess I'm wondering when did the City find out that that was a condition. Did they find out in that article like we did?"

**MEHTA:** "There are three categories within K.D.O.T.'s System Enhancement program. I say K.D.O.T. because there is no Federal Highway involvement directly in the selection process of System Enhancement funds. One of those categories is interchanges, which is primarily most of what is the Kellogg application projects; even though you will see a full mile of improvement between Woodlawn and Rock and so on, these are interchange projects and those do require City or County or the governing bodies' participation. The more you put in as matching funds the more points you score against the other projects, which are other projects you are competing against statewide. In the case of Kellogg and 235, I initially considered to be an interchange project for the City and Counties position was that this was an interchange of two federal or state systems and therefore did not warrant City participation. That category was later changed from interchange to corridor improvements. And under that particular classification, while officially there is no mandate to provide matching funds, however, if you do provide any funds you score more points. The higher the number of points, the better you stand to get the project approved against other statewide projects. I think we only read it in the newspaper about a week ago when questions were asked why didn't that particular project score high enough. The answer from some K.D.O.T. officials who keep track of accidents and traffic volume was it didn't score high enough. I'm guessing what it means is that even though you may consider the statement about one accident every week at least, but when you put it against the total volume of traffic that's going through it, it doesn't amount to as much as some of the other statewide projects with a higher accident rate, which is measured in per million vehicles rather than just by total number of accidents."

**WARREN:** "What that doesn't take into consideration through is how many white knuckles, how many frightening experiences, how many almost heart attacks people have but did avoid an accident. That's what happens out there is that we have near accidents on an hourly basis and near catastrophic accidents on an hourly basis, so I'm not sure that report agrees. I think the thing I'm concerned with, Mr. Chairman, more than anything else, is I don't know why we were not advised at some reasonable point that if you don't put some money into this than you could stop considering it. That is my question, when are we going to get that kind of advice so that maybe we can change what we are going to do."

**CRONISTER:** "Did you attend the workshop, the System Enhancement workshop?"

**WARREN:** "We attend a lot of workshops, I'm not sure which one you're talking about."

**CRONISTER:** "It was, a statewide workshop in Salina in October."

**WARREN:** "The answer is no!"

**LOPEZ:** "My question was the interchange at 135 and 21<sup>st</sup> Street north, what was the deficiency there?"

**MEHTA:** "From an operational standpoint, I am only hearing it from some officials of K.D.O.T. I don't mean to put David Cronister here on the spot because he is representing the Planning division. The decision for doing that project comes from a totally different section of K.D.O.T. The maintenance of four separate bridges that exist today, one for each direction, and since they are separated by about an eighth of a mile apart, they have twice as many bridges, versus a standard interchange with two long span bridges instead of four short span bridges. In terms of maintenance and upkeep of the bridge itself I am told that was one of the reasons. Operationally we haven't checked to see whether there was any kind of a backup situation or a perceived backup situation on the ramps to warrant any change at this time. If we were in the loop earlier, I'm sure we would have asked that same question, but it is kind of after the fact now for us."

**LOPEZ:** "There are four bridges they are talking about, maybe it's the four bridges, the one west, I'm trying to picture where the other three are at."

**MEHTA:** "There is a northbound, then the southbound highway over there but the ramps are separated by 1/8 of a mile, there is a very wide median in between. So north of that median you have two bridges, northbound and southbound. South of that median you've got another northbound and southbound, so there are four separate bridges for that same highway movement. If you are going southbound from K-96 towards downtown, you are crossing two bridges that are only southbound."

**KLASSEN:** "Just one other comment. Jamsheed was mentioning that maintenance was a problem. I understand that particular route has a high icing problem on it, and subsequently it probably gets double the amount of salt on it, and since that was built in 1971 I believe that is a long time to take care of those bridges when you're giving them heavy doses of salt. They wear out pretty quickly, and that is probably one reason why K.D.O.T was wanting to take and upgrade those bridges, because it is probably more economical to replace them than to continue to try to repair them."

**GAROFALO:** "I think part of my question was answered. The other part I just want to make it clear in my mind that 21<sup>st</sup> and I-135 project that was proposed solely by K.D.O.T, I guess, I don't think we were involved in it at all, were we?"

**MEHTA:** "Correct."

**GAROFALO:** "That was strictly a K.D.O.T decision."

**BARFIELD:** "Well, going back to the 235, when we talk about the number of accidents we always have to consider the nature of accidents. There have been several fatalities at Kellogg and 235, and with that in mind I can't quite understand why even the City would even be asked to submit funds. I don't know why they wouldn't look at that, because certainly these people have perished out there."

**OSBORN-HOWES:** "I just wanted to follow up on something that Mr. Warren talked about. You asked about the white-knuckle experiences on 235 and Kellogg. How many of us here have had that? I guess if you are here to get feedback from us, not only have we talked about that a lot in here, but also it's been in the paper a lot. I think if you were to ask for some kind of survey, and maybe it's already been done. I think the citizens of Wichita and Sedgwick County would list that as one of the most dangerous intersections. I have in the last year or two gone beyond white knuckle. I can't simply believe I didn't go over the bridge. I really consider it dangerous, so if you are looking for feedback, I think that is what we are telling you."

**KLASSEN:** "What we are really looking for is feedback on the process."

**OSBORN-HOWES:** "At least speaking for myself, I am concerned that somehow input hasn't been expressed enough."

**KLASSEN:** "That would be a good thing to express when K.D.O.T. comes out with their long range plan update and talks about their new priority systems that they are implementing. They use a priority system for I forget how many years. They are updating the priority system of things to be considered in the selection of projects."

**CRONISTER:** "Basically four categories: substantial maintenance, priority bridge, major mod and System Enhancement. Part of the formula is used on three of those categories. That is something the long-range plan is going to do. We are just now at the beginning stages of looking at that."

**KROUT:** "Maybe there is a way that we can have some influence through the way the priorities are structured. Is it true that the priority is based on the number of accidents per volume of traffic through an interchange, which means that we may have three times as many accidents there as some other interchange in the state, but it is diluted because we may have three times as much traffic? Is that the way the priority system works now?"

**KLASSEN:** To some extent, I think.

**CRONISTER:** Generally speaking I can't say exactly for sure. The formula is built on that.

**KROUT:** Those are things that we can comment on later on, I guess.

**WARREN:** "The article as it appeared implies that hey you Metropolitan Area Planning Commission, you City of Wichita City Council, screwed up. We didn't procedurally handle this right and therefore the door got shut for 10 years. I guess if that's the implication, and that is what that thing said, I want that redefined. Is that what they said, that we screwed up and so therefore 10 years. Is that our sentence?"

**KROUT:** "Well, I think that should probably be addressed to K.D.O.T. I think that is what the article read like to me. That if you wanted this funded with the State's System Enhancement monies, that you should have ponied up and provided a local match."

**WARREN:** "We screwed up so the door is shut. I am not going to accept that. We need to talk to somebody about the alternative to what that result insinuated, in that article, that we are out of it for 10 years. I'm not going to buy that. I don't know who we talk too."



September 7, 2000  
Special Meeting  
Page 6

**KLASSEN:** "All I can say is that I know that the project has been considered and that something that Dave and I will be willing to visit about."

**CRONISTER:** "That is something I will check with K.D.O.T. design, I am from the planning side of it."

**KLASSEN:** "I don't think that door has been completely slammed, but what we will try and do is explore the situation and get back with Mr. Krout and Mr. Mehta so he can relay it to you. Moving along to some of the projects: have you folks had any opportunity to discuss the air quality of the Wichita area? I know you have an air quality forum in place studying things that might be done to reduce the possibility of going into what we call non-attainment. Basically non-attainment means that you are not meeting the standards of the air quality standards put out by EPA. From the transportation perspective, if that happens then until you are able to conform your transportation plan, you will not be able to build transportation projects. To determine conformity it is a very complex issue that the staff will have to do. It is a modeling issue to determine if the air quality by implementing your transportation plan will be increased or reduced. If it is increased then you are out of conformity. If you can take and show that, through that modeling process that your transportation plan is improving the air quality in the City of Wichita and Sedgwick County, then you can proceed with your building of your proposed projects. I was just kind of curious if you have had an opportunity to visit with your air quality forum people or had any discussions or anything, or have any questions about that particular item."

**GAROFALO:** "As past Chairman of the Planning Commission I was on the task force or whatever we called it on that very subject, the air quality, and the other Planning Commissioners really haven't been briefed on what has been going on there. There is a report that I think is being worked on, an Executive so we are somewhat informed. But the rest of the Commissioners haven't been completely briefed on it, and I imagine after there is a report developed or finalized, perhaps we will be getting copies of it."

**MEHTA:** "We will provide the Commissioners with a copy of that report after it is completed. It is in an interim draft stage right now."

**GAROFALO:** "There were a large number of suggestions that were made to deal with the problem or potential problem on a volunteer basis, educational basis and so forth. There has been progress made toward coming up with some sort of plan to deal with it."

**LOPEZ:** "By Sedgwick County obtaining the designated non-attainment, according to these comments being made here, the MSA can be expanded to include Harvey, Butler and Sumner including Sedgwick."

**KLASSEN:** "The MSA is actually, I believe, correct me if I am wrong, Harvey, Butler and Sedgwick. Is that correct? It does not include Sumner at this time. We don't know what happens after the Census. Because once the census data comes in, they may adjust the MSA, which stands for Metropolitan Statistical Area. But if you do go into non-attainment, most likely that would include those three counties. And then you are going to have to work with those three counties together on your transportation plans. That is where it gets rather difficult. For example, Kansas City. If Overland Park wants to build a project, it uses so much of your--once you are in conformity then you go to these individual projects, and say Overland Park wanted to do a project, but that would have used all the air quality space that they had. And then they had to take and brokerage. Should Blue Springs get some of that or should it all go to Bonner or should it go to Kansas City, KS or wherever. So it becomes a very difficult issue. We are talking about the whole area of transportation projects and how they interact. That is where Jamsheed would have a very difficult time in doing a thorough analysis on the model. Plus Mobile 5-A is about to be replaced by Mobile 6, which may cause even more serious problems. It is going to get complicated the situation. Your staff has attended one workshop recently and there will be other workshops coming up. It is through that type of activity that you are going to get your capabilities to do some of those things."

**WARNER:** "We are talking about air quality, and part of the rules and regulations the same from one location to another?"

**KLASSEN:** "There are standard regulations across the nation. There is one fly in the ointment right now. We have an eight hour standard that is being considered or in place, and they are talking about going to a one hour standard. That has been in and out of the court system now for two years, something like that. In the mean time in the Kansas City, Metro area, because it is not in full conformance with the air quality standards, they were talking about increasing the boundary's size. The Governor of Kansas and the Governor of Missouri both wrote to EPA suggesting that those boundaries not be extended. The proposal was to be extended and include additionally the counties at Douglas and Miami County on the Kansas side. But we are hoping that because of the Kansas Governor's submission of that document along with a whole batch of support material from the Department and Health Environment, that EPA will not expand that boundary. The same type of thing would happen here in Wichita, Sedgwick County if the monitors find exceedence in the national air quality standards for ozone. That is what your problem is, ozone right now, not carbon monoxide or O<sub>2</sub> or any of those others. If that happens, most likely EPA will designate what the boundaries are. We probably not be able suggest any revisions to those boundaries. The standards are the same across the nation."

**GAROFALO:** "Procedurally since this is about process and procedures, what can we as the MPO do to try encourage, beside our conversation here today, to encourage some changes in the priorities on projects and whatnot. For example, again back to the 235 and Kellogg thing. We have that as a very high priority in our plan, do you people care about that? Does that make any difference to you that we have it as a high priority? What other things could we do to maybe push you along in that direction."

**CRONISTER:** "We have a long range planning engineer that is about to embark on long range planning process, and I am sure there is probably going to be some component of public participation into that. They would be open to input. I haven't seen the exact schedule on how that is going to work. This would be a state long range plan, and I'm sure they would be looking into some of the priority formulas that go into selecting projects across the state."

September 7, 2000  
Special Meeting  
Page 7

**GAROFALO:** "So should we go up there and knock on his door, should we write him a letter, what should we do? Procedurally what's the process, what could we do to try put a little fire under their butts?"

**CRONISTER:** "The State actually has public participation liaisons in each district. I would contact one of those people and voice your concerns. In turn they would take that to headquarters in Topeka. District 5, I am not sure of the person that is stationed there, but that is one of the outreach programs that K.D.O.T. has instituted in the last couple of years, is to have a public participation liaison in each district to address public concerns and so forth. Outside of that, I guess you could talk to the District Engineer. There has been talk about having a 1-800 number, so that any member of the public can call and it would be like a voice mail for concerns, complaints, and suggestions on how we can do business better."

**GAROFALO:** "So we need to get our legislatures in gear to discuss some of these things with them."

**HENTZEN:** "On the Clean Air Act question, what are maybe the top two things that contributive to foul air? I know in several large city I have been to, Guatemala City and Mexico City, the transportation systems there are absolutely horrendous. These big diesel trucks and buses that the United States threw away, well that is their system. There are just black clouds all over the place. You can see it from the air. What is happening in Wichita, Sedgwick County that we have a fouled air problem. Is it transportation, or and is it manufacturing processes, or is it just things that we can't change?"

**KLASSEN:** "Well the flip answer is yes. Let's go into it a little more deeply. There are three types of emissions that we have to contend with. There is the mobile source emissions that's the transportation elements that you are talking about. There is the areawide emissions, which is contributed by a variety of factors such as dry cleaners, printing presses, that type of manufacturing that is accruing in the community; even drive-through car washes contribute to a certain amount. KDHE is having a very difficult time trying to identify those area-wide sources. Another type of source is the point emissions. Point emissions are the major manufacturing facilities. KDHE keeps track of that data very carefully because those are major producers. They report to KDHE on an annual basis so we have a pretty good estimation of how much they are putting into the air. Vehicle miles of travel, buses, probably even the aircraft take off and landing puts in a certain amount; we can model some of that, not all of it. But that modeling that we hope to doing in the near future will give you a good indication. The one item that we are not sure how to get a handle is the areawide sources, where it entails even things as minute as ok if you have in your area you take so many gallons of paint at all the hardware stores and put it on your houses, that produces emissions. How do you know how much emission it produces? At the printing presses we don't have a real good handle on how to estimate that. Car washes and that was kind of a surprise to me; I had never through of a car wash being dirty, but it produces emissions as well. We don't know how to handle it. That is one thing that Jamsheed and KDHE are starting to work on, along with the air quality forum people. All of those elements need to be combined together, because what you do it you develop emissions for each one of the categories and then you can come up with a budget. If that budget says we are still clean air today when all these emissions add up, then if we do not permit anymore emissions to occur, it will most likely stay clean. If one of those three or all three of them increase, that's when you fall out of conformity. That's why we will be working a budget, and they are working up a budget for both Kansas City and Wichita-Sedgwick County at this time. That is going to be kind of an innovative project. Other Cities across the country have done that and KDHE has not really done that much on that subject, and so that is one reason they are feeling their way along and will be participating in this effort."

**HENTZEN:** "Yes I'd like to comment to the staff and the Commission about the 21<sup>st</sup> Street and I-135. Last week we had a serious discussion about what was gonna happen to Broadway on west to Arkansas on 21<sup>st</sup> Street, and I don't think we decided anything except that it was a neighborhood plan that had some kind of wish list. If it is decided not to make 21<sup>st</sup> Street a really through operation up there at Broadway, west, you don't need to do anything at 21<sup>st</sup> and I-135 compared to like Mr. Barfield talked about 235 and Kellogg. That's just a statement on that. Infact, I remember we closed the discussion last week by saying if we can't get ride of the rendering plant up there, we don't need to do anything, because it is going to ruin everything. So the other thought I had, and you helped me think about it, was: you link clean air to transportation and so on. I'd like to purpose that any public hearings that we have that anyone cannot prove that they voted for the last five years does not get to speak. Because we bellyache and moan about not very many people voting, but boy when you get into these public hearings, you get a different feeling. But anyway, think about that."

**KLASSEN:** "That kinds of reminds me of the discussions that we've had this week about a couple of subjects: your landuse plan and your transportation plan and other plans that you have been working on, and I was just wondering how do you think that process has been working, as far as getting information out to the public and getting feedback from them. Do they generally bellyache or do they come in with some suggestions? How do you folks feel about the processes that the staff has been trying to carry forth?"

**LOPEZ:** "I have one final question on the transportation plan from your standpoint, on the section of environmental justice and your comments on the process outlined in reaching out and seeking input of low income and minority communities, and the process addressing the distribution of those benefits and the impacts of the projects to those communities. What is your take on that?"

**KLASSEN:** "That was the next thing on my agenda. Environmental justice is a subject we should have been addressing several years' back, based on the precedent order. We are now gearing up to work on those issues. The staff here I believe has a good start on it; for example they don't have it here right now but they have documents showing where the low income and minority populations are occurring. That is the first step in the planning process: it identifies where they are. Second part of the process should probably be to take in and communicate with those populations and the citizens as a whole as far as what their ideas, desires, concerns are in the transportation process, so that when you as a planning group make decisions, you can at least understand more fully where everybody is coming from. We do have, on October 11, a workshop coming up. It is going to be in Kansas City and your staff and other are invited, and we want to make a special invitation to any and all of you, because by getting into a workshop of that nature we can all start understanding better. The environmental justice issues are kind of a double edge sword. Used to be we said that, well if we avoid environmental or minority or low income populations then we don't have a problem. Well, if you do that and you stay too far away, then you have an adverse impact. By not providing access to those populations. Exactly where and how far and so forth is open to very detailed analyses. Now at the

September 7, 2000  
Special Meeting  
Page 8

project level it is easier, because you have a line here and you can get better community input and feedback, but on a planning status, when you are starting to develop your long range plan, or redeveloping your long range plan how do you analyze that system-wide. That is where I am at a lost. I hope that through workshops like what's coming up we will be learning with you folks. That is why I encourage you all to attend these workshops if you have the opportunity. One of the successes I think you would have is communicating what you are doing and getting the feedback to you. We will be providing additional material from FTA and FHWA. We are supposed to have case studies delivered to us in August to discuss some of these things, to give you ideas on this subject. It is now September and I still don't have it. But we hope to get it soon. There will be additional materials coming out at the workshops and it will be followed up with other material. One thing everybody is still scratching his or her head over is how do you do a system-wide analysis on this particular subject. That is going to be an interesting exercise. If you try to be fair and being fair, how do you really say when you are being fair about something. That is difficult, I realize that."

**HENTZEN:** "I want to suggest to you that you have a hell of a road ahead."

**KLASSEN:** "I agree with you and that why I'm eligible for retirement any day."

**HENTZEN:** "I just want to be very delicate when you are talking about transportation funds, building roads, keeping the air clean and all of a sudden we got to say or address the color of people or whatever; they are American people, all of them. They should be treated equally under the law. And to think that there are some social engineering that needs to be done, I'm just telling you, you're going on the wrong track."

**KALSSEN:** "I think that is the bottom line of this discussion is, trying to be fair. And if we can do that, be fair to everybody in the community, then we should be successful."

**HENTZEN:** "Well the fact is you will never get everybody to say it you're fair."

**KLASSEN:** "Well that could be, just like in your consideration of items at the Planning Commission meeting; you can't get everybody to agree, but a decision is made and you proceed with it."

**HENTZEN:** "What I was thinking while you were talking was we have a City Council that is divided into districts, and now each one of them has a District Advisory Board, and the County Commission is divided into Districts. What I'm saying is that these people participate in the governments' procedure by electing their leaders from those districts. And when we draw the districts for our, say, City or County, we are talking about citizens. We are not talking about what color citizens, that is not what the law says, it talks about the balance between the number of citizens."

**KLASSEN:** "The law does say now."

**HENTZEN:** "You have a lot of work to do before your retire."

**KLASSEN:** "Speaking of DABs, how do you think those are working out in your area as far as getting public involvement, input, their associations with you. You have had CPOs in the past. I know you have changed structure a little bit, I was wondering if the structure change caused any differences or improvements or whatever."

**CARRAHER:** I can comment on that as the Chair, I served on the CPOs when they were in existence, and I kind of serve on the District Advisory Board. I feel that serving on both I kind of have a unique perspective, because I get to see things at different ends, different plans if you will. I feel that the opinions given by the advisory board are considered with some weight in addition to the other information. I know that that might be the minority view to members of the various DABs as well as some of my colleagues here, but I truly feel that the citizens' as well as neighborhood interest groups' their views are considered, they are weighed. I'm sure differently by each of my colleagues, but I do feel that every issue that comes through the District Advisory Boards is a given a fair weight in comparison to the other variables on any given issue. I guess to be fair, would any of my colleagues like to voice their views in that regard?"

**BARFIELD:** "When you say given fair weight, by whom? By whom were you speaking?"

**CARRAHER:** "By each of us here, you give it fair weight in your judgement and consideration of the other issues. I feel that each of my colleagues do the same. Now granted now, we may not give equal at all time to all issues, but that is part of being human I guess. Have I answered your question though?"

**BARFIELD:** "Do you think they are taking into consideration any more by City Council whereas with CPO?"

**CARRAHER:** "I feel that would be a fair question answered by City Council, not to dodge your question."

**BARFIELD:** "You served on both."

**CARRAHER:** "Not on City Council. I think it would be speculation on my part to say what each City Council member feels about the weight given to the advisory board. But I also feel each Council member would be a good judge, because of the guidelines that you serve as the head of their respective District Advisory Board."

**HENTZEN:** "I just want to comment on your question. First of all, I think we could sum it up and say the jury is still out. It has only been about three or four months, five, it hasn't been a year yet, so I don't think we can come to any hard and fast rules."



**KLASSEN:** "Has there been any major changes in the way the DAB activities vs. the old CPO activities, or are they much similar?"

**CARRAHER:** "I believe I can answer that if that is okay; could you repeat the question please."

**KLASSEN:** "I was just wondering if you noticed any significant differences between the way the DAB's activities vs. the old CPO's activities, have the activities been increased or been lessened or are they more vocal or less vocal or whatever, I was just kind of wondering what changes had occurred."

**CARRAHER:** "To be fair I can only really speak to the District Advisory Board that I serve on. I know the intent was to make it different, the transformation from CPO to DAB. But in practice, I really haven't seen any significant changes. Both dealt as it pertains to the Planning Commission, both dealt with and do still deal with planning issues. The only difference I can see in the setup is that it is appointed by a City Council member. The City Council member heads the respective DAB and they appoint members as well as appoint a vice Chair. Also the makeup of the board, they tend to be larger now. As opposed to having 9 elected members you are dealing with, well at least with my District Advisory Board there is I believe about 14 appointed members. Most of which did serve as CPO members in the old world. So I guess to make a short answer long, really from what I have seen in my experience, there hasn't been much of a significant change."

**WARREN:** "My question, maybe more to staff than anything else. I think we are all sensitive to the fact that people in national transportation, K.D.O.T. can't meet with every group that is interested with highway projects. I think it is important that we know, though, who is our ambassador, who is our advisory, who is that person that we can go to that is in contact with these folks, and I don't know that I'm asking for an answer, but I certainly want to have that question so that in the future these surprises don't come up. That somebody who we know and can give us these answers in advance of our other considerations. That is number one. Number two, this air quality thing. We say that the air quality standards criteria is equal across, that is difficult for us because we out here in the Midwest think of ourselves of having fairly clean air. If in fact that criteria is the same for Los Angeles or Las Vegas or Reno on a given day, we are really clean. If that is the case they shouldn't have any transportation funds at all out there. So this is why I question this criteria being equal, level, the same applied to all places; because it just seems to me when you go to any of those communities we are dealing with smog, fog and all kinds of problems we don't have here."

**CARRAHER:** "I guess we have a two part question, I guess the part in regards to the liaison I would either yield the floor to Mr. Krout or Mr. Mehta if they have a response to that."

**KROUT:** "That is a good question and I think the answer it probably varies. I think the planning people here locally probably have a closer relationship with the planning people at K.D.O.T. The engineering people here locally, like the Public Works Director for the City or County has a closer relationship to the engineering sections of K.D.O.T. But it is really difficult to say that there is a single point of contact on either side. I think that is part of what we talked about the last couple of days. It does need to be sorted out as to how can we improve communications."

**WARREN:** "They can't meet with every group; obviously they have things to do."

**CRONISTER:** The way K.D.O.T. is setup to operate with the MPO is we have an urban planning unit and we have four MPOs in the state, we have one person either planner or engineer assigned to those MPOs. They primarily act as liaisons between the MPO and the Federal Highway and FTA. They would be a good point of contact. They should have all the information. Again a lot of the problems we talked about today with coordination, internal coordination between design and planning, we are working on right now."

**WARREN:** "What we want to do is avoid what just happened, and I guess that is the question. How do we avoid that?"

**KROUT:** "To give you an example, and maybe locally we should take some of the blame, I don't know if there is blame, but the K.D.O.T. System Enhancement money, because it is state money not federal money, the MPO which sometimes takes this coordination role between the City and the County wasn't in that central role in this case. So the application was sent to the City of Wichita, they were sent to Sedgwick County, and Public Works Directors in each of those cases submitted the grant applications, and there was communication between them and some attempt to coordinate their separate submissions. We were asked at a certain point to provide some technical assistance to assist in those grants but it wasn't like the Unified Work Program or the Transportation Improvement Program where there is a single point of contact."

**WARREN:** "Do you see improvements somewhere down the line in the process?"

**LOUISE LLOYD:** "I do want to say that Bill and I, and Bill particular, have been trying to really work with K.D.O.T. because we are very concerned about this kind of thing happening. Right now we're going to be stepping up on approval here shortly for the new year for the State. As part of the STIP review that Bill and I have been working on, we plan to, hopefully if our bosses will go along with the document that we are preparing, to put some things in writing of expectations that we really feel of things that need to change in the future. We know that it can't happen by this step, because it has got to get approved, but Bill and I hope to start taking a much tougher stand and that a letter will go out as part of our step approval. We are very well aware and really going to work with the State. With Dave and Renee hearing your concerns I know they will be strongly going back and trying to bring those up. We will do what we can in that area. The other thing I wanted to say on the standards I guess, I don't know if this will help or not, but there are different levels of non-attainment, so I'm not sure which level if Wichita becomes non-attainment. In LA they are probably in the very highest level of non-attainment and things become more serious in what they have to do. So there are varying levels of non-attainments, so you might not be like LA, but you would be in the lower level of non-attainment. So there are different ramifications for the higher the level goes."

September 7, 2000  
Special Meeting  
Page 10

**WARREN:** "I think after we become that when you say the criteria is the same everywhere, we questioned that."

**LLOYD:** "So they start with the same criteria, but the more exceedences and the more problems, they raise them to different thresholds of attainment. If somebody meets criteria they will be in one category, and as they have more exceedences they kind of apply the same, but to make them go to different thresholds, I believe. But the other thing that does complicate air quality from my understanding is, you are also subject to doing all the right things and the kind of weather we've been having, if you have stagnant hot air, it is a real problem, I think you can almost shut down and still have problems with exceedences potentially. You can transport air that is coming in from other areas that also can be involved in the process, and so you can be doing all the right things and still have a problem."

**KLASSEN:** "One thing, we are primarily transportation planning-oriented, but you have been working very hard on your land/use planning as well. I want to commend you on that because, that's one thing we have been trying to support all along is the coordination and combination of transportation planning and land/use planning. Transportation without considering the land/use doesn't get the job done. And land/use without transportation doesn't get the job done. We have to combine them and I want to congratulate you on those efforts. One program you have in particular, that you've been working somewhat on, and getting better input and consideration of, are the access management activities that you are doing in the City. I know K.D.O.T has some funds that are dedicated for that type of activity, the Federal Highway Administration has some grant applications that would be considered for those activities, and we want to encourage you to continue in those efforts. I just wondered if anybody had any questions about the access management program."

**KLASSEN:** "One additional thing that I think you have worked a little bit on, but things are fast coming to a conclusion on the census data and I'm not quite sure what that census data how it is going to affect Wichita-Sedgwick County. For example if the census data come back that we are all in one big area, population area, it may cause you to move forward to being combined with Butler County and perhaps Harvey County as far as what we call the MPO. Which is the same as what you call your Planning Commission right now. I was just wondering if you had any comments or had any thoughts on that particular subject coming down the road."

**WARNER:** "If that were to take place, how is the representation by County determined? Is it population, I sure would hate to go to a committee like that and have Harvey County betroth"

**KLASSEN:** "That would have to be something that the three Counties would have to agree to develop. I think there is a requirement that the central city is the predominate; in this case, Wichita would probably reserve or receive the majority or representation. I don't quite remember the regulations, but there is a percentage in there that this speaks to. Wichita would not, it would come out with more representation than the other two counties."

**HENTZEN:** "I think I heard what you said about Wichita, but wouldn't it be better to say Sedgwick County, because we are an MPO for the whole county as opposed to just Wichita, Newton and some other City?"

**KLASSEN:** "It would encompass all those three counties. Not only those three Cities but also the counties as well. But the way regulations are set up, it gives predominate representation to the major city."

**MARNELL:** "I clearly think we ought to have some input from those adjacent counties, because this is the Metropolitan Area. While all of Butler County certainly doesn't have much of an influence on a Metro Area, we can't tell when you go to Sedgwick County that it's Butler County at Andover; it is all continuous population and it is going to happen to the north before too long. They ought to be considered because Butler County is awfully large, it is not very many people when you look at it as a whole county, so I think my comments would mirror the others that it needs to really be considered by population."

**KLASSEN:** "I might clarify that one point, that countywide designation is a possibility. However, when you get together and make that determination between the three organizations, you can shrink those back in so that not necessarily the whole county that is represented. For example, you could go up to ElDorado and not beyond, you might be able to up to Newton and not beyond, you might not even go to the West in Harvey County, but there is delineation that can be done."

**MARNELL:** "It should certainly be considered for coordination after it is clearly on something like transportation."

**KROUT:** "Bill if we do come non-attainment, then will EPA be deciding what the boundaries are of the new MPO?"

**KLASSEN:** "The non-attainment boundaries are typically the SMSA which includes the Sedgwick, Butler and Harvey County. That it's the SMA boundary right now. That is the way Kansas City is setup for its SMSA. And that is the way the majority of the other air quality boundaries are throughout the country are. Like I say, the Census coming out may vary that, and unfortunately, usually what they do is expand it, not contract it. We appreciate the opportunity to sit down with you folks and visit with you at least we get to see each other every three years perhaps. This afternoon at 5:00 we have invited the general public to come in and voice any concerns. The last time we did that I enjoyed talking to both of those individuals. You are welcome to join us too. I'd appreciate it. Generally like Kansas City we did this last year, I believe, and there were a couple of people who had some particular issues about bicycle facilities, and one I can't remember what the other one was on. But there were very few comments. I'm hoping generally mostly of the comments that we will be getting today will be supported by Mr. Krout, Jamsheed and the rest of your staff in your agency. I think you folks are going a pretty good job."

**CARRAHER:** "Thank you. I'd like to thank you all for appearing today and informing us in regards to the certification review and as well as fielding our questions and concerns."

**LLOYD:** "I'd like to add just quickly that after this is all done we will go back and draft a report from the review that we will share with Jamsheed and the staff for K.D.O.T to look over. Then once we get that all squared away and everybody in agreement that we have everything correct, then a final report will be issued. I'm assuming we will come back after that is done and make a presentation to you about the recommendation and whatever from that review."

**CARRAHER:** "What is the timeline on that or is there a timeline established?"

**LLOYD:** "Generally I think they want us to do it in two months. I haven't seen any go quite that quickly."

**KLASSEN:** "The last one we did took six months"

**LLOYD:** "So hopefully in three months."

**CARRAHER:** "We have to revisit something real quickly. Bud informed me during the discussion that he does have a scheduling conflict, he won't be able to attend the luncheon. He does send his apology for not catching that. I would need to see if there is another volunteer who would like to go that luncheon next Monday at 11:45. I too have a scheduling conflict. I have a meeting that starts at 10:30 and I probably won't get out for a few hours, otherwise I would be more than happy to step up to the plate. We need to find a volunteer who would be able to go and represent the Planning Commission to this meeting. Do I have any takers?"

**GAROFALO:** "I guess I could."

**CARRAHER:** "Could you do that this one last duty as outgoing Chair? If there were no objections, then definitely Frank, I would be more than happy for you to attend in our place. Other matters? Are there any other matters that need to come before the Commission?"

**OSBORNE-HOWES:** "I would like to make a brief response to an agenda item from last week. This is the agenda item that had to do with the discussion of membership qualifications. I would like to respond to that since I didn't respond last time. I noted that the discussion involving Joe Lang from the legal department focused specifically on term limits relative to City appointees. While I might have liked to address some additional questions pertaining to that topic I chose not to. The first time or two this topic was addressed by the Planning Commission I felt that it was informative. I question, however, their reasons for continued discussion. Clearly, the legal department of the City and Council have said that this is an issue for the City Council and not for the MAPC. I am one of two city appointees who are affected by the term limits issue. While I cannot speak for Richard Lopez, I will say that I serve at the pleasure of the City Council member who appointed me. I have the honor to have been appointed by two Mayors and one City Council member during my 8-1/2 years on the Planning Commission. I have always served at their discretion. I have made a commitment and a promise and I believe in honoring my promises. I must also say that I thought the discussion last week went beyond clarification. I believe the members of the Planning Commission who are County appointees that indicated their concerns about this issue and intended to take it up with the City Council might be stepping on some toes. I might point out also that the senior member of the Planning Commission is John McKay, a County appointee, and County appointees don't have term limits on membership."

**CARRAHER:** "Are there any questions or commentary in all fairness."

**LOPEZ:** "This has been three times in the last eighteen months, and maybe some Commissioners need to get a life rather than worry about this all the time. I serve with the pleasure. It is not the issue of the staff to bring it up and make the decision; legal counsel comes in here and says we are in conformance; if there are some issues bring it up with the elected officials, but don't put it on the staff or avoid the issue by not going to the elected officials."

**CARRAHER:** "Is there any further commentary to this issue? I guess I will add a commentary if I can. Discussing this issue it would be my take that on it that this is from now on if this issue needs to be addressed, it is a City Council issue in regards to last week."

**BILL JOHNSON:** "I don't have a personal problem with the decision or Richard since they have been on it. They have been on it as long as I have been on it. The only concern I got about the whole deal, it's a policy. I just want to make sure we weren't legally in trouble with anybody and then in all of a sudden we be in a court system where everybody is spending a ton of time working a hundred cases, and somebody questions because some loophole or whatever, and that is the only thought I ever got on it. And I second what you just said is I think who made the situation that there is a term limit, it ought to go back to them and they need to decide what they want to do. I have worked alongside Susan and Richard for a number of years and they have done a good job. I have enjoyed working with them. I too didn't make a comment the other day when it did come up for a third time and that is the only concern I got out of it."

**CARRAHER:** "Any further commentary or questions to this issue? Seeing none other, any other matters?"

**MICHAELIS:** "I just like to make a quick comment and this is the completion of my first year and it kind of ties in to what you all were just talking about. It has been a real eye-opener experience, and I guess and I feel personally good about the make-up of the Commission. I think there is a good diversity here and in any group like this there needs to be some checks and balances on all of us. But I think the seniority thing is very helpful, and there is a lot of time that experience you can't just reach out and grab it. It has to be here, so one I think the importance of somebody being here for awhile is critical. I would feel a lot more comfortable with that than coming in here and all of a sudden there is fourteen new people who have never done this before. I would like to also say that I welcome Chris, I think he is going to do a very good job. I plan on getting with him to see between the two of us if we can't do some things to speed these up, and number one is eye contact, and knowledge of the list so we are not all setting here like this all day and those sort of things. We will work those out, we maybe need to change places since he is left-handed and I'm right handed. We may need to make some logistical things, but I just

September 7, 2000  
Special Meeting  
Page 12

wanted to say thank you to those who have guided us new ones along. We may not always agree with your opinions but I respect them. And I think that is what it is all about."

**CARRAHER:** " I will second that. Are there any other matters that need to be brought before the Commission."

**3. Briefing on M.I.S. Update Study.**

Item #3 was Deferred

**4. Other Matters.**

**KROUT:** "Before you adjourn I want to remind you to try and stop by and talk to Chris or me about your preferences about Subdivision or Advance Plans Committee. Next up coming meetings; September 21 will start at 1:00, and we will try to have little goodies to compensate for the extra time but the first zoning item has been advertised for 1:00. The meeting will last until at least 4:00 because we have a 3:30 zoning hearing scheduled. The October 5 agenda has been closed and we only have one zoning item on that Agenda. Most likely after the subdivision Agenda and that one zoning item, we will ask the Advanced Plans Committee to stay over and use that as the first meeting time for going through the zoning amendments."

**CARRAHER:** "Also in the light of which Committee you would like to serve on. If you would or do have a preference wanting to serve as either as a Chair or Vice-Chair of the committee please state that by letting Marvin or I know that by voice or by paper. Are there any other matters that need to come before the Commission at this time?

The meeting officially adjourned at 3:20 p.m.

State of Kansas        )  
Sedgwick County     ) ss

I, Marvin S. Krout, Secretary of the Wichita-Sedgwick County Metropolitan Area Planning Commission, do hereby certify that the foregoing copy of the minutes of the meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission, held on \_\_\_\_\_, is a true and correct copy of the minutes officially approved by such Commission.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
Marvin S. Krout, Secretary  
Wichita-Sedgwick County Metropolitan  
Area Planning Commission

(SEAL)